

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00623-RC**

PUBLIC EMPLOYEES FOR ENVIRONMENTAL  
 RESPONSIBILITY v. NATIONAL OCEANIC &  
 ATMOSPHERIC ADMINISTRATION  
 Assigned to: Judge Rudolph Contreras  
 Cause: 05:552 Freedom of Information Act

Date Filed: 03/06/2019  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**PUBLIC EMPLOYEES FOR  
 ENVIRONMENTAL  
 RESPONSIBILITY**

represented by **Paula Naomi Dinerstein**  
 PUBLIC EMPLOYEES FOR  
 ENVIRONMENTAL RESPONSIBILITY  
 962 Wayne Avenue  
 Suite 610  
 Silver Spring, MD 20910  
 (202) 265-7337  
 Fax: (202) 265-4192  
 Email: [pdinerstein@peer.org](mailto:pdinerstein@peer.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**NATIONAL OCEANIC &  
 ATMOSPHERIC ADMINISTRATION**

represented by **April Denise Seabrook**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2525  
 Fax: (202) 252-2599  
 Email: [april.seabrook@usdoj.gov](mailto:april.seabrook@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/06/2019	<u>1</u>	COMPLAINT against NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION ( Filing fee \$ 400 receipt number 0090-5984762) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet cover sheet, # <u>2</u> Declaration corporate disclosure, # <u>3</u> Summons Agency Summons, # <u>4</u> Summons DOJ Summons, # <u>5</u> Summons USAO Summons)(Dinerstein, Paula) (Attachment 1 replaced on 3/6/2019) (zef, ). (Entered: 03/06/2019)
03/06/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests. (zef, ) (Entered: 03/06/2019)
03/06/2019		Case Assigned to Judge Rudolph Contreras. (zef, ) (Entered: 03/06/2019)
03/06/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 03/06/2019)
03/06/2019	<u>4</u>	ERRATA to first filing re LCvR 5.1(c)(1) by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY <u>1</u> Complaint, filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Dinerstein, Paula) (Entered: 03/06/2019)

03/22/2019	<u>5</u>	NOTICE of Appearance by April Denise Seabrook on behalf of All Defendants (Seabrook, April) (Entered: 03/22/2019)
04/15/2019	<u>6</u>	ANSWER to Complaint by NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION.(Seabrook, April) (Entered: 04/15/2019)
04/15/2019		MINUTE ORDER: It is hereby ORDERED that the parties shall meet, confer, and jointly submit a proposed briefing schedule on or before April 29, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 4/15/19. (lcrc1) (Entered: 04/15/2019)
04/18/2019		Set/Reset Deadlines: Proposed Briefing Schedule due by 4/29/2019 (tj) (Entered: 04/18/2019)
04/29/2019	<u>7</u>	PROPOSED BRIEFING SCHEDULE ( <i>Joint</i> ) by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Dinerstein, Paula) (Entered: 04/29/2019)
04/30/2019		MINUTE ORDER: Upon consideration of the parties' <u>7</u> proposed joint briefing schedule, it is hereby ORDERED that the following schedule shall govern further summary judgment briefing in this case: Defendant shall file its dispositive motion on or before May 30, 2019; Plaintiff shall file its opposition and cross-motion for summary judgment on or before July 1, 2019; Defendant shall file its reply and opposition to the cross-motion on or before August 1, 2019; and Plaintiff shall file its reply in further support of the cross-motion on or before August 12, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 4/30/19. (lcrc1) (Entered: 04/30/2019)
04/30/2019		Set/Reset Deadlines: Dispositive Motions due by 5/30/2019. Response to Dispositive Motions due by 7/1/2019. Reply to Dispositive Motions due by 8/1/2019. Cross Motions due by 7/1/2019. Response to Cross Motions due by 8/1/2019. Reply to Cross Motions due by 8/12/2019. (tj) (Entered: 04/30/2019)
05/30/2019	<u>8</u>	Consent MOTION to Amend/Correct Order,, <i>Briefing Schedule</i> by NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (Seabrook, April) (Entered: 05/30/2019)
05/31/2019		MINUTE ORDER granting <u>8</u> motion to amend briefing schedule. It is hereby ORDERED that the following schedule shall govern further summary judgment briefing in this case: Defendant shall file its dispositive motion on or before June 13, 2019; Plaintiff shall file its opposition and cross-motion for summary judgment on or before July 10, 2019; Defendant shall file its reply and opposition to the cross-motion on or before August 10, 2019; and Plaintiff shall file its reply in further support of the cross-motion on or before August 26, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 5/31/19. (lcrc1) (Entered: 05/31/2019)
05/31/2019		Set/Reset Deadlines: Dispositive Motions due by 6/13/2019. Plaintiff shall file its opposition and cross-motion for summary judgment on or before July 10, 2019; Defendant shall file its reply and opposition to the cross-motion on or before August 10, 2019; and Plaintiff shall file its reply in further support of the cross-motion on or before August 26, 2019 (hs) (Entered: 05/31/2019)
06/13/2019	<u>9</u>	Consent MOTION for Extension of Time to File by NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (Seabrook, April) (Entered: 06/13/2019)
06/14/2019		MINUTE ORDER granting <u>9</u> motion for extension of time. It is hereby ORDERED that the following schedule shall govern further summary judgment briefing in this case: Defendant shall file its dispositive motion on or before June 21, 2019; Plaintiff shall file its opposition and cross-motion for summary judgment on or before July 17, 2019; Defendant shall file its reply and opposition to the cross-motion on or before August 19, 2019; and Plaintiff shall file its reply in further support of the cross-motion on or before September 5, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 6/14/19. (lcrc1) (Entered: 06/14/2019)
06/14/2019		Set/Reset Deadlines: Cross Motions due by 7/17/2019. Response to Cross Motions due by 8/19/2019. Reply to Cross Motions due by 9/5/2019. Summary Judgment motions due by 6/21/2019. Response to Motion for Summary Judgment due by 7/17/2019. Reply to Motion for Summary Judgment due by 8/19/2019. (tj) (Entered: 06/14/2019)

06/20/2019	<u>10</u>	Consent MOTION to Amend/Correct Set/Reset Deadlines, by NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (Seabrook, April) (Entered: 06/20/2019)
06/21/2019		MINUTE ORDER granting <u>10</u> motion to amend briefing schedule. It is hereby ORDERED that the following schedule shall govern further summary judgment briefing in this case: Defendant shall file its dispositive motion on or before July 10, 2019; Plaintiff shall file its opposition and cross-motion for summary judgment on or before August 17, 2019; Defendant shall file its reply and opposition to the cross-motion on or before September 19, 2019; and Plaintiff shall file its reply in further support of the cross-motion on or before October 5, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 6/21/19. (lcrc1) (Entered: 06/21/2019)
06/28/2019		Set/Reset Deadlines: Cross Motions due by 8/17/2019. Response to Cross Motions due by 9/19/2019. Reply to Cross Motions due by 10/5/2019. Motions due by 7/10/2019. Responses due by 8/17/2019 Replies due by 9/19/2019. (tj) (Entered: 06/28/2019)
07/09/2019	<u>11</u>	Joint STATUS REPORT by NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION. (Seabrook, April) (Entered: 07/09/2019)
07/09/2019		MINUTE ORDER: Upon consideration of <u>11</u> the parties' Joint Status Report, it is hereby ORDERED that the parties' requested relief is GRANTED. It is FURTHER ORDERED that the briefing schedule set in the Court's June 21, 2019 minute order is VACATED. It is FURTHER ORDERED that the parties shall submit a joint status report advising the Court of the status of their negotiations and whether additional proceedings will be necessary on or before August 16, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 7/9/19. (lcrc1) (Entered: 07/09/2019)
08/16/2019	<u>12</u>	Joint STATUS REPORT by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Dinerstein, Paula) (Entered: 08/16/2019)
08/16/2019		MINUTE ORDER: Upon consideration of the parties' <u>12</u> joint status report, it is hereby ORDERED that the parties shall submit a joint status report on or before August 30, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 8/16/19. (lcrc1) (Entered: 08/16/2019)
08/20/2019		Set/Reset Deadlines: Status Report due by 8/30/2019. (tj) (Entered: 08/20/2019)